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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,306	11/06/2006	Pascal Joguet	318216US41PCT	5487
22850 7590 05/12/2010 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER NGUYEN, JENNIFER T				
ART UNIT		PAPER NUMBER		
2629				
NOTIFICATION DATE		DELIVERY MODE		
05/12/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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### Office Action Summary

**Application No.**

10/590,306

**Applicant(s)**

JOGUET ET AL.

**Examiner**

JENNIFER T. NGUYEN

**Art Unit**

2629

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS/US)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Applicant's election without traverse of group I, claims 13-28 in the reply filed on 03/04/2010 is acknowledged.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 13-17, 20, 27, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Enomoto (Patent No.: US 7,307,623).

Regarding claim 13, Enomoto teaches a method for controlling a computerized device (information processing device 1) by a multi-contact touch screen (15, 16), the method comprising:

displaying a graphical object (31) on the multi-contact touch screen (15) at an object position; associating a processing rule to the graphical object;

detecting a plurality of touch points (a, b) on the multi-contact touch screen (15) and defining a touch position for each of the plurality of touch points (a, b);

applying the processing rule of the graphical object (31) as a function of a relative position between the touch position (a, b) and the object position (31); and

modifying at least one of the graphical object (31) or the object position based on a result of said applying (col. 3, line 53 to col. 4, line 12, col. 5, line 12 to col. 6, line 18).

Regarding claim 14, Enomoto teaches wherein said step of detecting further comprises: sequentially scanning rows and columns of the multi-contact touch screen (col. 3, line 57 to col. 4, line 12).

Regarding claims 15 and 27, Enomoto teaches wherein the calculating step further includes: generating a plurality of contact zones from the plurality of touch points; first calculating a bounding zone for each the plurality of contact zones; and second calculating a plurality of cursor positions for each of the plurality of contact zones, respectively (please flow chart shown in fig. 10).

Regarding claims 16 and 28, Enomoto teaches wherein said step of second calculating further calculates the plurality of cursor positions based on a barycenter of a respective bounding zone (please flow chart shown in fig. 10).

Regarding claim 17, Enomoto teaches displaying a plurality of graphical objects on the screen, each of the plurality of objects associated to a separate processing rule (col. 6, lines 21-44).

Regarding claim 20, Enomoto teaches a device (figs. 1, 2, 6A, 6B) to control a computerized apparatus (information processing device 1) comprising:

memory (2) to store a plurality of graphical objects (31) (music data and image data) and a plurality of processing rules that are associated to the plurality of graphical objects, respectively;

a multi-contact touch screen (16) to detect a plurality of touch points (a, b) on the multi-contact touch screen and defining a touch position for each of the plurality of touch points (a, b);

a graphic display unit (15) to display a graphical object (31) from said plurality of graphical objects at an object position; and

a processor (11) configured to apply a processing rule of the plurality of processing rules associated to the graphical object as a function of a relative position of between the touch position (a, b) and the object position (31), and configured to modify at least one of the graphical object or the object position based on a result of said processing said processing rule (col. 3, line 53 to col. 4, line 12, col. 5, line 12 to col. 6, line 18).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 18, 19, 21, 22, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto in view of Hashimoto et al. (Patent No.: US 5,327,163).

Regarding claims 18 and 25, Enomoto does not specifically teach measuring an electrical characteristic of row-column intersections by sequentially scanning rows and columns of the multi-contact touch screen.

Hashimoto teaches measuring an electrical characteristic of row-column intersections by sequentially scanning rows and columns of the multi-contact touch screen (col. 1, lines 33-68). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the measuring an electrical characteristic as taught by Hashimoto in the system of Enomoto in order to detect a touch position more accurately.

Regarding claims 19 and 26, the combination of Enomoto and Hashimoto teaches said electrical characteristic is a voltage (col. 1, lines 33-68 of Hashimoto).

Regarding claim 21, the combination of Enomoto and Hashimoto teaches the multi-contact touch screen comprises: a transparent matrix sensor (col. 1, lines 33-68).

Regarding claim 22, the combination of Enomoto and Hashimoto teaches the transparent matrix sensor includes an array of a plurality of conductive rows and columns (col. 1, lines 33-68).

6. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto in view of Young (Patent No.: US 5,869,791).

Regarding claim 23, Enomoto does not specifically teach the conductive rows and columns are made of Indium Tin Oxyde (ITO).

Young teaches the conductive rows and columns are made of Indium Tin Oxyde (ITO) (col. 10, lines 36-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ITO material as taught by Young in the system of Enomoto in order to afford a material for better detecting.

Regarding claim 24, the combination of Enomoto and Hashimoto teaches the conductive rows are insulated from the conductive columns by an insulation layer (col. 8, line 61 to col. 9, line 23 of Young).

7. The prior art made of record and not relied upon is considered to pertinent applicant's disclosure: Patent No. US 7,046,235 and Patent No. US 4,914,624.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen  
7/18/06

/LUN-YI LAO/  
Primary Examiner, Art Unit 2629